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Federal Defender  
RACHELLE BARBOUR, Bar #185395  
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Attorney for Defendant  
JOSE JUAN ORTEGA-FIGUEROA

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 JOSE JUAN ORTEGA-FIGUEROA, )  
 )  
 Defendant. )

Case No. CR.S-05-170-MCE

## STIPULATION AND ORDER

DATE: June 7, 2005

TIME: 8:30 a.m.

JUDGE: Hon. Morrison C. England, Jr.

It is hereby stipulated and agreed to between the United States of America through JASON HITT, Assistant U.S. Attorney, and defendant, JOSE JUAN ORTEGA-FIGUEROA, by and through his counsel, RACHELLE BARBOUR, Assistant Federal Defender, that the status conference of May 24, 2005 at 8:30 a.m. be vacated and that a further status conference be set for June 7, 2005 at 8:30 a.m.

This continuance is being requested because the parties are waiting for the distribution of a pre-plea presentence report to enable the prosecution to provide a plea agreement pursuant to this district's fast-track policy. Once the report and plea agreement are received, defense counsel will need to discuss both of them with Mr. Ortega-Figueroa and provide them to the Court.

Speedy trial time is to be excluded from the date of this order through the date of the status conference set for June 7, 2005, pursuant to 18 U.S.C. §§ 3161 (h) (8) (B) (iv) [reasonable time to prepare] (Local Code T4).

DATED: May 23, 2005.

Respectfully submitted,

QUIN DENVIR  
Federal Defender

/s/ Rachelle Barbour

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RACHELLE BARBOUR  
Assistant Federal Defender  
Attorney for Defendant  
JOSE JUAN ORTEGA-FIGUEROA

McGREGOR SCOTT  
United States Attorney

/s/ Rachelle Barbour for Jason Hitt

DATED: May 23, 2005.

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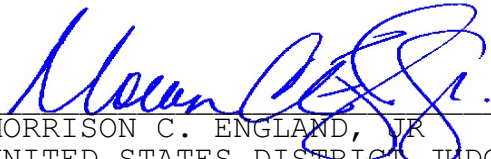
JASON HITT  
Assistant U.S. Attorney

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**O R D E R**

**IT IS SO ORDERED.**

DATED: May 24, 2005.

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE